

**IN THE UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF TENNESSEE**

**IN RE:**

**JUSTIN RAY BARNES**

**Debtor.**

**Case No. 3:16-bk-05166**

**Chapter 13**

**Judge: MARIAN F. HARRISON**

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**DEBTOR'S EXPEDITED MOTION TO INCUR DEBT  
FOR PURCHASE OF A VEHICLE**

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Comes now the Debtor, by and through counsel, pursuant to Local Rule 9075-1, and requests an expedited hearing on a Motion to Incur Debt for the Purchase of a Vehicle. In support of this Motion, Debtor states the following:

1. **Expedited Relief Requested:** Debtor moves for an order:
  - a. For authorization to incur debt to purchase a replacement vehicle. The Debtor seeks permission to incur debt in the amount of \$16,000.00 at no more than 22% interest, and not to exceed a term of 60 months.
2. **Reason for Urgency:** Debtor requests that the Court hear this Motion on an expedited basis because Debtor's current vehicle is in need of extensive transmission repair and is unreliable. Debtor needs a replacement vehicle as soon as possible for transportation to work, to avoid expenses for a rental vehicle, and to avoid further delay.
3. **Notice:** Once an Order setting a hearing on this motion is entered, Debtor's counsel will give notice to the United States Trustee and Chapter 13 Trustee via electronic service through the ECF filing system and to the Debtor and creditors by first-class United States mail.
4. **PROPOSED HEARING DATE:** Debtor proposes that this Expedited Motion be set for hearing on Wednesday, May 30, 2018, at 8:30 am in Courtroom 1, Customs House, 701 Broadway, Nashville, Tennessee, allowing at least one week's notice to the parties involved, or on the next available docket this Court deems appropriate.

**5. INFORMATION IN SUPPORT OF THE MOTION:** In support of this Motion, Debtor represents the following:

a. The Debtor requests permission to apply for an Inland Bank loan for \$16,000.00, at an interest rate of 22% for a term not to exceed sixty months. The proposed Inland Bank loan would be treated as long term debt and paid through the chapter 13 plan. The Debtor has attached an Amended Monthly Family Budget that demonstrates his ability to fund the Inland Bank Loan.

**WHEREFORE**, the Debtor respectfully prays that this Honorable Court enter an order for the relief as proposed by the Debtor above and any further and just relief this Court deems necessary.

Dated on May 23, 2018.

Respectfully submitted,

**/s/L.G. Burnett, Jr.**

**L.G. Burnett, Jr. Reg. #6463**

Attorney for Debtor

Long, Burnett, & Johnson PLLC

302 42<sup>nd</sup> Ave. No.

Nashville, Tennessee 37209

(615) 386-0075 phone (615) 864-8419 fax

[ecfmail@tennessee-bankruptcy.com](mailto:ecfmail@tennessee-bankruptcy.com)

IN THE UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

IN RE:

JUSTIN RAY BARNES

CASE NO. 3:16-bk-05166

DEBTOR

CHAPTER 13

**AMENDED MONTHLY FAMILY BUDGET**

			<u>Prior Budget</u>	<u>Current Budget</u>
Dates of Budgets:			<u>7/21/2016</u>	<u>4/25/2018</u>
<b><u>EXPENSES</u></b>				
Rent/Mortgage Payment:			<u>\$850.00</u>	<u>\$850.00</u>
Utilities:	Prior	Current		
Electric, heat, natural gas	<u>\$215.00</u>	<u>\$215.00</u>		
Water, sewer	<u>\$65.00</u>	<u>\$65.00</u>		
Telephone/Cell Phone/Inet/Cable	<u>\$320.00</u>	<u>\$320.00</u>		
Home Maintenance	<u>\$0.00</u>	<u>\$0.00</u>		
Other	<u>\$0.00</u>	<u>\$0.00</u>		
Other	<u>\$0.00</u>	<u>\$0.00</u>		
Other:	<u>\$0.00</u>	<u>\$0.00</u>		
Total Utilities			<u>\$600.00</u>	<u>\$600.00</u>
Food			<u>\$600.00</u>	<u>\$600.00</u>
Child Care, Children Education Costs			<u>\$20.00</u>	<u>\$20.00</u>
Clothing, Laundry, dry cleaning			<u>\$20.00</u>	<u>\$20.00</u>
Personal Care Products			<u>\$20.00</u>	<u>\$20.00</u>
Medical and Dental Expenses			<u>\$25.00</u>	<u>\$20.00</u>
Transportation (not including car pmts)			<u>\$200.00</u>	<u>\$200.00</u>
Insurance (not deducted from wages):				
Auto	<u>\$150.00</u>	<u>\$150.00</u>		
Life	<u>\$0.00</u>	<u>\$0.00</u>		
Home	<u>\$0.00</u>	<u>\$0.00</u>		
Renters	<u>\$0.00</u>	<u>\$0.00</u>		
Other:	<u>\$0.00</u>	<u>\$0.00</u>		
Total Insurance:			<u>\$150.00</u>	<u>\$150.00</u>
Taxes: (not deducted from wages)			<u>\$0.00</u>	<u>\$0.00</u>
Domestic Support (Alimony, Child Support)			<u>\$0.00</u>	<u>\$0.00</u>
Car Payments			<u>\$0.00</u>	<u>\$0.00</u>
Other Monthly Expenses				
Entertainment			<u>\$0.00</u>	<u>\$0.00</u>
Charitable/Religious Donations			<u>\$0.00</u>	<u>\$0.00</u>
Other			<u>\$0.00</u>	<u>\$0.00</u>
Other			<u>\$0.00</u>	<u>\$0.00</u>
Other			<u>\$0.00</u>	<u>\$0.00</u>
<b>TOTAL MONTHLY EXPENSES:</b>			<b><u>\$2,485.00</u></b>	<b><u>\$2,480.00</u></b>

**INCOME**

		<u>Prior Budget</u>	<u>Current Budget</u>
Debtor's Gross Income:		<u>\$4,111.20</u>	<u>\$4,880.33</u>
Spouse's Gross Income:		<u>\$0.00</u>	<u>\$0.00</u>
Payroll Deductions:			
Payroll Taxes	<u>-\$704.25</u>	<u>-\$861.67</u>	
401(k)	<u>\$0.00</u>	<u>\$0.00</u>	
Union Dues:	<u>-\$27.00</u>	<u>-\$27.00</u>	
Insurance	<u>-\$108.33</u>	<u>-\$120.00</u>	
Other	<u>\$0.00</u>	<u>\$0.00</u>	
Other			
Total Payroll Deductions:		<u>-\$839.58</u>	<u>-\$1,008.67</u>
Other Regular Income:			
Support/Alimony	<u>\$0.00</u>	<u>\$0.00</u>	
Pension/SS/VA	<u>\$0.00</u>	<u>\$0.00</u>	
Family Contributions	<u>\$0.00</u>	<u>\$0.00</u>	
Other	<u>\$0.00</u>	<u>\$0.00</u>	
Other	<u>\$0.00</u>	<u>\$0.00</u>	
Other	<u>\$0.00</u>	<u>\$0.00</u>	
Other:	<u>\$0.00</u>	<u>\$0.00</u>	
Total Other Regular Income:		<u>\$0.00</u>	<u>\$0.00</u>
<b>TOTAL MONTHLY INCOME:</b>		<u>\$3,271.62</u>	<u>\$3,871.66</u>

**SUMMARY:**

Total Monthly Income	<u>\$3,271.62</u>	<u>\$3,871.66</u>
Minus Total Monthly Expenses	<u>\$2,485.00</u>	<u>\$2,480.00</u>
Equals Monthly Surplus:	<u><b>\$786.62</b></u>	<u><b>\$1,391.66</b></u>

Monthly Plan Payment:	<u>\$780.00</u>	<u>\$1,391.00</u>
Duration of Plan (months):	<u>60 Months</u>	<u>41 m remain</u>
Dividend to Unsecured Creditors (%)	<u>20.00%</u>	<u>20.00%</u>
Secured Creditors Affected:		

\*Explain any increase/decrease in income/expenses that exceeds 10%:

/s/Justin Ray Barnes

Debtor

April 25, 2018

Date